

## *Office of the Chapter 13 Standing Trustee*

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### *Andrew B. Finberg, Chapter 13 Standing Trustee*

*Joni L. Gray, Counsel*

*Jennifer R. Gorchow, Staff Attorney*

*William H. Clunn, III, Staff Attorney*

*Lu'Shell K. Alexander\**

*Jennie P. Archer\**

*Kelleen E. Stanley\**

*Kimberly A. Talley\**

*\*Certified Bankruptcy Assistant*

January 21, 2025

The Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court  
P.O. Box 2067  
Camden, New Jersey 08102

**RE: Chapter 13 Bankruptcy  
Case No. 25-10263 (ABA)  
Debtor(s) Name: Gerald Kane**

Dear Judge Altenburg:

Please accept this letter in lieu of a more formal response to the Court's Order to Show Cause Why Case Should Not Be Dismissed for Having Two Open and Pending Cases, which is returnable Tuesday, January 28, 2025, at 10:30 a.m.

Debtor has filed for Bankruptcy protection four (4) times since 2019. Debtor filed Case Nos. 19-12729 (ELF) and 21-13401 (AMC) in the Eastern District of Pennsylvania. Debtor has also filed two (2) Chapter 13 Petitions, Case Nos. 24-21988 (ABA) and 25-10263 (ABA) in the District of New Jersey within one (1) month of each other. Both cases filed in the District of New Jersey were filed while Case No. 21-13401 (AMC) is still pending in the Eastern District of Pennsylvania. The conduct of Debtor is evidence of an attempt to utilize the Court to hinder and delay payments to creditors.

Based on the foregoing, pursuant to 11 U.S.C. §1307(c), the Trustee respectfully requests Debtor's case be dismissed. Furthermore, the Trustee requests pursuant to 11 U.S.C. §§ 105(a), 109(g), 349(a), and 1307(c) and R. 9011(c), that this Honorable Court impose on the Debtor sanctions in the form of a 180-day bar on future filings under any chapter and such other sanctions as this Court may deem appropriate to deter repetition of such conduct by the Debtor or comparable conduct by others similarly situated.

As always, please feel free to contact this office with any questions or concerns.

Respectfully submitted,

s/ William H. Clunn, III

William H. Clunn, III  
Attorney for Andrew B. Finberg,  
Chapter 13 Standing Trustee

WHC/jpa  
cc: Gerald Kane (Via First Class Mail)

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Cherry Tree Corporate Center  
535 Route 38  
Suite 580  
Cherry Hill, NJ 08002  
(856) 663-5002

**Payments Only:**  
  
**P.O. Box 1978**  
**Memphis, TN 38101-1978**